

**Program Charter
for
Acquisition and Grants**
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1. EXECUTIVE SUMMARY

Program Description

The NOAA Acquisition and Grants Program (MS-AQP) <http://www.ago.noaa.gov/> is a corporate activity to purchase quality products and services at a reasonable price from external vendors, and to administer financial assistance awards to qualified recipients in support of NOAA's mission in accordance with all applicable laws and regulations. More than half of the NOAA annual budget is processed by MS-AQP for purchase and grant awards serving every NOAA component. MS-AQP is organized into the following capabilities for execution:

Acquisition Service Operations: The purpose of this activity is to procure goods and services through the use of contracts, simplified acquisitions, Bankcard transactions and interagency agreements and memorandums of understanding (MOUs) requested by each NOAA customer as specified by their requirements. Simplified acquisition procedures provide streamlined techniques to reduce the administrative burden of awarding lower dollar value or commercial item procurements that account for the majority of purchases. Bankcards are issued to authorized government employees and typically can be used for purchases up to \$2500 per month, although higher spending limits may be allowed upon request based upon need. On behalf of NOAA, MS-AQP operates the Bankcard Center for the entire Department of Commerce, and provides essential transaction oversight on a continuous basis.

MS-AQP acquisition services provide support to NOAA customers throughout the full procurement process beginning with defining the customer's need for products or services, providing technical advice and counsel, and ending when the product or service is delivered, accepted, final payment is made and contractual documents are closed.

Financial Assistance Service Operations: The purpose of this activity is to provide technical and administrative support to NOAA programs that give financial assistance (authorized by statute) to a wide array of non-federal recipients to accomplish results intended to enhance NOAA's mission. This support to NOAA programs involves all phases of the grant administration process including pre-award actions such as providing technical guidance during initial pre-selection activities, announcing and publishing requests for grant applications, conducting administrative review and award of recommended applications, monitoring award progress and terms and conditions, closing out grant awards (e.g. ensuring grantee has completed all financial, technical and administrative requirements), and conducting audits as necessary. These financial assistance services also include administration of NOAA's cooperative and other agreements.

MS-AQP is a component of the Program Support Sub-goal of the Mission Support Goal in the NOAA Strategic Plan. As such, MS-AQP supports all NOAA Mission Goals.

MS-AQP acquisition support activities occur primarily in 5 locations: Silver Spring, MD; Norfolk, VA; Kansas City, MO; Boulder, CO; and Seattle, WA. Financial assistance support activities are located in Silver Spring, MD.

2. PROGRAM REQUIREMENTS

A. Requirement Drivers:

Acquisition Service Operations

- **Federal Acquisition Regulation (FAR)**, CFR 48 Chapter 1 specifies that an agency head may issue or authorize the issuance of agency acquisition regulations, implement or supplement FAR, and incorporate, together with the FAR, agency policies, procedures, contract clauses, solicitation provisions, and forms that govern the contracting process or otherwise control the relationship between the agency, including any of its suborganizations, and contractors or prospective contractors.
- **Federal Acquisition Streamlining Act (1994)** authorizes simplified acquisition procedures for lower value or commercial types of purchases.
- **Clinger-Cohen Act (1996)** governs planning, review and purchase of IT systems.

Financial Assistance Operations

- **Federal Grant and Cooperative agreement Act, 31 USC 6301-6308** requires executive agencies to distinguish procurement relationships from assistance relationships with non-Federal parties and provides some general guidance on helping make these distinctions. The Act requires the use of procurement contracts for all

agency acquisition activity, and the use of assistance instruments (grants and cooperative agreements) for specified types of assistance relationships.

- **Federal Financial Assistance Management and Improvement Act (PL 106-107)** directs Federal grant programs to simplify grant application and reporting requirements and to improve coordination to insure more uniform procedures among Federal granting agencies.
- **Uniform Administrative Requirements for Grants and Cooperative Agreements Act, 15 CFR Part 14, 15 CFR Part 24** establishes uniform administrative rules (e.g. cost sharing principles) for Federal grants and cooperative agreements and subawards to State, local and tribal governments.
- **Specific NOAA program authorities** for financial assistance (there is no general DOC-wide financial assistance authority) including such major statutes such as:

-*Coastal Zone Management Act (1972)* as amended authorizes the Secretary [delegated to NOAA] to make grants to any coastal state for the purpose of administering that state's management program.

-*National Sea Grant College Program Act (PL107-299)* authorizes NOAA to increase the understanding and conservation of the nation's ocean and coastal resources by providing assistance to promote a strong education base, responsive research and training.

-*Magnuson-Stevens Fishery Conservation and Management Act (1976)* as amended authorizes NOAA assistance related to the statute's research and conservation provisions.

-*Global Change Research Act, 15 USC 2921*, mandates development of a research program whose goal is to understand climate variability and its predictability and authorizes grants for extramural research.

- **OMB Circulars** for financial awards (Circular A-21, Education Institutions; Circular A-87, State, local and tribal governments; Circular A-122, Non-Profit organizations) provide cost principles for administering awards.
- **DOC and NOAA manuals** and administrative orders governing acquisition and financial assistance that implement FAR and other federal regulations. For the DOC Acquisition Regulations, see http://oamweb.osec.doc.gov/CAPPS_car.html. For the DOC Grants and Cooperative Agreements Interim Manual, see http://oamweb.osec.doc.gov/GMD_interimManual.html.
- **DOC actions related to contract disputes**, Office of the Inspector General audits or reports regarding compliance with acquisition or grant regulations, and Office of General Counsel findings of noncompliance with regulations which may directly affect the staffing and internal procedures of NOAA's acquisition and grant operations.

- **OMB/President's Management Agenda guidance**, especially related to e-government, financial management, and performance management.

B. Mission Requirements

- The Acquisition and Grants Program enables NOAA to fulfill its scientific and technical mission responsibilities to the American public by purchasing the best value goods and services as well as providing financial assistance awards required by NOAA's programs.
- To fulfill this mission requirement, the Acquisition and Grants Program provides responsive, creative, solution-oriented service to its NOAA customers with full compliance with all applicable laws, regulations, policies and guidelines to ensure fairness, competition and accountability.

3. LINKS TO THE NOAA STRATEGIC PLAN**A. Goal Outcomes:** MS-AQP contributes to the Program Support Outcome:

A safe operating environment with efficient and effective financial, administrative and support services.

B. Goal Performance Objectives: MS-AQP supports the Objective:

Improve efficiency and performance in the processing of financial and administrative transactions and services.

C. Goal Strategies: MS-AQP supports the Strategies:

Adopt a functional management model to deliver administrative and financial services that will establish direct lines of accountability from Headquarters business line managers to all NOAA financial and administrative staff located in the field.

Improve the efficiency, accountability, and transparency of administrative programs and services through process optimization and customer satisfaction assessment.

4. PROGRAM OUTCOMES: As a result of reengineering its processes and business practices, MS-AQP will be an efficient and effective program, helping to enhance the achievement of NOAA's scientific and technical mission and its ability to provide timely products and services to NOAA's stakeholders.

5. PROGRAM ROLES AND RESPONSIBILITIES: This program is established and managed with the procedures established in the NOAA Business Operations Manual. Responsibilities of the Program Manager are described in the BOM. Responsibilities of other major participants are summarized below:

A. Participating Line Office, Staff Office and Council Responsibilities:

- Acquisition and Grants Office (AGO)—The AGO is responsible for execution of all NOAA acquisition and financial assistance service operations to support NOAA programs under the policy guidance and oversight of the Director.
- All NOAA Line and Staff Offices participate in acquisition and financial assistance execution by submitting requests for acquisition or financial assistance actions in a timely way in full compliance with all required documentation and approvals in order to successfully execute awards in the current budget year.
- Standing and ad hoc consultative groups comprised of Line and Staff Office customer representatives periodically advise AGO on processing performance issues. For example the Grants Management Advisory Council provides periodic advice about financial assistance activities.
- NOAA CFO Council is responsible for considering topics or issues related to any aspect of AGO services, including operational or funding changes, in order to provide advice or resolve problems. These problems are not limited to internal AGO operations, and may include the quality or adequacy of documentation from requesting program officials provided to AGO.
- NOAA Office of General Counsel (GC) is responsible for providing legal services necessary to enable the program to discharge its duties. In this regard, NOAA GC provides a variety of specific services on an as-needed basis, including but not limited to advice on legal issues related to program responsibilities, review and clearance of agreements, testimony, correspondence and other documents, legal representation, assistance with litigation, and requests for testimony or information and coordination with DOC GC.

B. External Agency/Organization Responsibilities:

The DOC Office of the Assistant Secretary for Administration/CFO is responsible for providing policy guidance and oversight to all aspects of AGO operations in accordance with applicable laws and regulations. The DOC Office of General Counsel provides legal services related to contract law, grants, litigation and telecommunications law. The Office of Management and Budget is responsible for providing continuing guidance related to acquisition and financial assistance administration. The General Services Administration is responsible for providing continuing updates to the FAR.

6. END USERS OR BENEFICIARIES OF PROGRAM:

MS-AQP through AGO is the legally designated interface in all transactions between NOAA program officials requesting acquisition or financial assistance actions and the entire spectrum of potential or actual award recipients in the public and private sectors. Specific users or beneficiaries include:

- **NOAA Employees**— administers the Bankcard purchasing program and procures the required goods and services from vendors needed by all NOAA employees to conduct their official duties with timeliness and a minimum of administrative burden.
- **NOAA Managers, Mission Goals, Programs, Councils and Committees**-- supports all managers in the NOAA Line and Staff Offices and in NOAA Programs to plan and execute activities involving acquisition or financial assistance to accomplish all of NOAA's Mission Goals.
- **Customers and Constituents**—serves as the “voice” of NOAA in all contract or grant award actions with public and private external parties. The competence, professionalism and responsiveness of AGO staff in these transactions do more than accomplish benefits in terms of NOAA mission requirements. AGO staff contacts and performance directly affect external perceptions of the quality of the entire NOAA organization.
- **Potential and Actual Vendors**—Federal policy mandating fair and open competition in contracting (with limited exceptions) results in a complex and formal process of interaction between AGO and vendors to produce mutually satisfactory partnerships to support NOAA's work. High standards of AGO performance in contracting results in low/least cost solutions to NOAA's requirements with considerable efficiency for both NOAA programs and vendors. Federal policy also provides for special attention to disadvantaged or favored elements of the vendor community (small or minority business, veteran or women-owned etc.), and AGO diligence in seeking legitimate awards to these vendors contributes to national socio-economic goals in Federal acquisition.
- **American Public**—The benefits of NOAA's overall performance to serve America, guided by NOAA's Strategic Plan, are enabled by MS-AQP support because expenditure of more than half of the total NOAA budget is subject to action and approval by MS-AQP/AGO.